

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

December 10, 2014

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the conference room (G38) at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:**

Henry Miga, Chair
Anthony Bruno
John Butkus
Paul Costello
Thomas DiBlasi
Keith Flood
Louis Free
Robert Hanbury
Donald Harwood
George Iskra
David McKinley
Michael Musco
Glenn Neilson
Michael Sinsigalli
Fred Wajcs, Jr.
William Zoeller

Also Present:

Joseph Cassidy, DCS
William Abbott, OSFM
Joseph Kingston, OSFM
Terry Brouwer, OSFM
Jenna Padula, DAS Legal
George Bradner, CT Insurance Dept./Long Term Recovery
Jack Lyons, NEMA
Tim Mikloiche, Town of West Hartford
Joanne Rees, AIA CT
Jeff Sargent, NFPA
Bruce Spiewak, AIA CT
Eric Stafford, Institute for Business & Home Safety
Don Vigneau, NEEP

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the November 12, 2014 meeting. All in favor. None opposed. Motion carried.

4. COMMUNICATIONS

- a. **A-11-14.** Correspondence from Harry Narine re appeal of Harry Narine re Waterbury Fire Marshal's decision re 269 Wilson Street, Waterbury, CT. See section Appeal Hearings 8.g. On 11/19/14 appellant submitted appeal form. On 12/9/14 the Office of the State Fire Marshal (OSFM) requested appeal be tabled for 30 days. Hold on agenda.
- b. **C-1-11.** Correspondence from Steven Edelman re complaint request for revocation from Steven Edelman re Windham Building Official (Donald Schultz). On 11/24/14 correspondence received from appellant. See section Appeal Hearings 8.h.
- c. **C-1-11.** Correspondence from William Abbott (OSFM) re complaint request for revocation from Steven Edelman re Windham Building Official (Donald Schultz). On 12/8/14 investigation report received from OSFM. See section Appeal Hearings 8.h.

5. SUBCOMMITTEE REPORTS

a. Codes Amendment Subcommittee: (Free)

The next meeting will be held on December 10, 2014. There will be 3 guest speakers.

b. Ethics/Procedural Regulations Subcommittee: Please contact the C&S Chair if you are interested in chairing this subcommittee.

6. OLD BUSINESS

There was no report.

7. NEW BUSINESS:

a. Staff Report

There was no report.

b. Fire Prevention Code Advisory Committee (Harwood)

Bill Abbott, OSFM, advised that the Fire Prevention Code is moving through the review process.

c. Joint Fire Marshal Training Council (Harwood)/Building Code Training Council (Musco) (aka Joint BCTC/FMTC) Don Harwood advised that progress is being made.

d. **Report on Bills**

There was no report.

e. **Public Member Vacancy** (previously held by Marjorie Shansky). Joe Cassidy advised that Commissioner DeFronzo is working on filling this vacancy.

f. **Vote for officer positions.** Floor was opened for nominations for Chair, Vice-Chair and Secretary. A brief discussion followed.

Motion was made and seconded to nominate **Keith Flood** for his first term as **Chair**. All in favor, none opposed. Motion carried.

Motion was made and seconded to nominate **Carlton Smith** for his first term as **Vice-Chair**. All in favor, none opposed. Motion carried.

Motion was made and seconded to nominate **David McKinley** for his third term as **Secretary**. All in favor, none opposed. Motion carried.

8. APPEAL HEARINGS

- a. **A-34-04. Appeal of Steven Edelman re State Building Inspector's decision re 9/1/04 State Building Inspector's decision under 29-252(d) CGS.** Appellant contacted DCS Legal Counsel and requested this appeal be re-opened. **On 12/10/14 noted for the record: John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco and Glenn Neilson are recused. This is a request to re-open an appeal that had been decided. Appellant's request to re-open this appeal and applicable State Statute will be forwarded to members for review. Hold on agenda.**
- b. **A-4-10. Appeal from Steven Edelman re Windham Building Official's decision re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. On June 21, 2010 a postponement was granted as a result of appellant's request for a stay of the proceedings. On January 24, 2013 correspondence received from appellant. On January 24, 2013 correspondence received from appellant. On March 21, 2013 referred to legal counsel. On 6/3/14 certified letter sent to appellant requesting status of appeal and to respond in writing by 6/17/14. **On 6/12/14 correspondence received from appellant advising he wished to pursue this appeal. Panel consists of Michael Sinsigalli, Panel Chair; George Iskra and William Zoeller. Hearing set for November 12, 2014 was not held; on 11/10/14 appellant requested postponement. Hold on agenda.**

- c. **A-28-11. Appeal from Steven Edelman re Acting State Building Inspector's decision re 29-252(d) re Town of Windham Building permit application re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. **Panel consists of Henry Miga, Panel Chair; Anthony Bruno and George Iskra. David McKinley will be the alternate. Panel will review 29-252(d) as it applies to this appeal. If panel determines aggrievement, then appeal hearing may immediately follow to consider the merits of this appeal. Hearing set for June 16, 2014, was not held; on 6/12/14 appellant requested postponement. Aggrievement hearing set for November 12, 2014 was not held; on 11/10/14 appellant requested postponement. Hold on agenda.**
- d. **A-19-13. Appeal from Jeffrey Reiner re West Hartford Fire Marshal's decision re 25 Stanley Street, West Hartford, CT.** Michael Sinsigalli is recused. Panel consists of Keith Flood, Panel Chair; Glenn Neilson and Carlton Smith. Christopher Cozzi will be the alternate. Hearing to address timeliness and aggrieved party issues set for March 12, 2014 was postponed; on 2/21/14 appellant requested postponement. Aggrievement and timeliness hearing was rescheduled to April 9, 2014; on 3/3/14 appellant requested second postponement. Aggrievement and timeliness hearing was rescheduled to May 14, 2014 in room G38, in Hartford. Appeal hearing may immediately follow. **As of 5/14/14 appeal panel is awaiting commentary from legal advisor re timeliness of appeal before rendering their decision. On 11/7/14 correspondence from Michael Sinsigalli requesting action be taken on this appeal. Aggrievement and timeliness hearing was set for Monday, December 22, 2014 at 1:00 in G38. Hold on agenda.**
- e. **A-8-14. Appeal from Joe Asklar re State Building Inspector's decision re 350/356 North Main Street, Marlborough, CT.** Panel consists of Henry Miga, Panel Chair; William Zoeller and George Iskra. Thomas DiBlasi will be the alternate. Hearing was set for Wednesday, September 10, 2014 at 11:00 in room G38. On 9/2/14 correspondence received from appellant requesting postponement; Lawrence Stannard, Marlborough Building Official, granted appellant a 30 day extension (until 10/8/14). Hearing was held on November 12, 2014. **Decision will be sent out within 90 days [by February 12, 2015.] Hold on agenda.**
- f. **A-10-14. Appeal from Bruce Spiewak re State Fire Marshal's decision re FM-0263-14 re Sandy Hook School, Building 2, 12 Dickinson Drive, Newtown, CT. Appeal panel was not set. On 10/8/14 appellant requested appeal be tabled until the November meeting. On 12/10/14 appellant requested this appeal be postponed until a draft determination is made by the Codes Amendment Subcommittee re what parts of Chapter 10 (Fire Code and Building Code) will be recommended for approval. Reason for modification denial stated in part that, "C&S had not addressed that section of the code yet."**

- g. **A-11-14. Appeal from Harry Narine re Waterbury Fire Marshal's decision re 269 Wilson Street, Waterbury, CT.** On 11/18/14 forwarded to the Office of the State Fire Marshal (OSFM) for review. On 11/19/14 additional information received from appellant. On 12/9/14 correspondence received from Chuck Kiessling, OSFM, requesting appeal be tabled for 30 days [until January 14, 2015]. **Hold on agenda.**
- h. **C-1-11. Complaint request for revocation from Steven Edelman re Windham Building Official (Donald Schultz).** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. On September 22, 2011 correspondence received from appellant. On September 23, 2011 corrected correspondence received from appellant. On October 3, 2011 correspondence received from appellant. On October 17, 2011 referred to Legal Counsel for review. On October 17, 2011 correspondence received from appellant. On November 15, 2011 a follow-up letter was sent to appellant requesting additional information. On March 20, 2012 certified letter sent to appellant requesting clarification and to respond in writing by April 3, 2012. On April 2, 2012 correspondence received from appellant. On April 11, 2012, pending legal review by staff counsel. Procedures will be discussed at meeting of legal counsel, Attorney General's Office, Office of State Building Inspector and Office of State Fire Marshal the week of May 14, 2012. Motion was made and seconded to refer to the Office of State Fire Marshal for investigation. All in favor. None opposed. Motion carried. On June 15, 2012 referred to the Office of State Fire Marshal for investigation. On June 27, 2012 letter sent to appellant advising case was referred to OSFM. On July 5, 2012 correspondence received from appellant (he had also sent it to Rob Ross, OSFM). As of October 10, 2012 OSFM's investigation is on-going. On January 24, 2013 correspondence received from appellant. As of March 13, 2013 OSFM's investigation is on-going. On March 21, 2013, referred to legal counsel.

On 5/14/14 hearing panel was set. Hearing panel consists of Fred Wajcs, Jr., Panel Chair; Carlton Smith and Keith Flood. Thomas DiBlasi will be the alternate. As of 5/14/14 awaiting OSFM's report. On 11/10/14 correspondence from appellant requesting status of complaint. On 11/18/14 letter sent to appellant advising OSFM anticipated completion of their report for the next meeting. On 11/24/14 correspondence received from appellant. On 12/8/14 received OSFM's investigation report.

On 12/10/14 noted for the record: John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, and Glenn Neilson are recused. Motion was made and seconded to not proceed with a hearing based on the findings of the Office of the State Fire Marshal. Item will be removed from the agenda. All in favor, none opposed, recused: John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, and Glenn Neilson are recused. Motion carried. Remove from agenda.

9. GOOD OF THE ORDER

The 2015 meeting date schedules for Codes and Standards and Codes Amendment Subcommittee have been distributed.

Marjorie Shansky has been invited to attend the January 14, 2015 meeting.

The out-going Chair (Henry Miga) and Vice-Chair (Fred Wajcs, Jr.) were thanked for their 3 years of consistent service to this Committee. David McKinley (Secretary) was thanked for his 2 years of service and accepting a third term.

The next Codes and Standards Committee meeting is set for **January 7 14, 2015** and will be held in conference room **532**, at 165 Capitol Avenue, Hartford, Connecticut.

David McKinley, Secretary